

## **REMARKS**

### **Summary of the Office Action**

The drawings stand objected to under 37 C.F.R. § 1.83(a) as allegedly not showing every feature of the invention specified in the claims. The disclosure is objected to because the title of the invention is allegedly neither precise nor descriptive. Claims 1-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,963,521 to Nagashima et al. (hereinafter "Nagashima").

### **Summary of the Response to the Office Action**

Applicants have amended independent claims 1 and 4 in order to improve the readability of the claims. Moreover, Applicants have added new claim 6 in order to differently describe the invention and to afford the Applicants with scope to which they are entitled. Accordingly, claims 1-6 are currently pending. Applicants have amended the title of the invention in light of the Examiner's objection.

### **Drawing Objections**

The drawings stand objected to under 37 C.F.R. § 1.83(a) as allegedly not showing every feature of the invention specified in the claims. With regard to the drawing objections under 37 C.F.R. § 1.83(a), the Office Action alleges that the "judging device" recited in the claims is not shown in the drawings and that a "judging device" must be shown or the feature must be canceled from the claims. Applicants respectfully traverse this requirement for at least the following reasons.

Fig. 1 illustrates a block diagram of an information reproducing apparatus of an

embodiment of the present invention that includes a player controller 16. Page 6, lines 3-5 of the specification teach that the player controller 16 controls the “EFM decoder 9, the memory controller 10, the selection switch 12 and the audio compression decoder 14.” This portion of the specification goes on to teach that the “player controller 16 also controls the MD player under an operation command from a control portion 17.” Page 6, lines 7-8 of the specification go on to teach that the “player controller 16 is constituted by, for example, a micro computer.”

Claims 1 and 4 each recite a “judging device for determining which of the plurality of compression methods is used in compressing the information read by said reading device.” The Office Action alleges that this “judging device” is not shown in the drawings. However, the specification, at page 6, lines 13-17 teach that the “player controller 16 ... determines TRK\_MODE of a music piece to be read (step S2), as shown in Fig. 2.” Page 6 of the specification goes on to teach that by using the TRK\_MODE information, the compression method can be determined (e.g., whether the information is recorded by the ATRAC method or by the ATRAC3 method, for example). See page 6, line 24 – page 7, line 3 of the specification. See also page 10, lines 9-12 of the specification.

Accordingly, Applicants respectfully submit that the “judging device” corresponds, for example, to steps S1 and S2 in Fig. 2. In other words, the “judging device” is in operation when the player controller 16 moves the information read point of the pickup 3 into a TOC area on the MD 1 to read TOC information from the TOC area (step S1) and determines TRK\_MODE of a music piece to be read (step S2). For at least the foregoing reasons, Applicants respectfully traverse the objection to drawings because the “judging device” recited in the claims is shown in the Figures at least by the player controller 16 in Fig. 1. Accordingly, Applicants respectfully request that the objection to the drawings be withdrawn in light of the foregoing remarks.

**Disclosure Objection**

The Office Action objects to the disclosure because the title of the invention is allegedly neither precise nor descriptive. Applicants have amended the title of the invention, in light of the Examiner's objection, to read as follows: "APPARATUS FOR REPRODUCING INFORMATION BASED ON THE TYPE OF COMPRESSION METHOD USED IN COMPRESSING THE INFORMATION". Applicants respectfully submit that this amended title is both precise and descriptive. Accordingly, Applicants respectfully request that the objection to the disclosure be withdrawn in light of the newly-amended title.

**Rejections under 35 U.S.C. §§ 102(b)**

Claims 1-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nagashima. To the extent that these rejections might still apply to the claims as newly-amended, they are respectfully traversed as follows. Independent claims 1 and 4 have been amended in order to improve the readability of the claims and to differently describe the invention.

Nagashima discloses a recording/reproducing apparatus having a unit devoted to playback and a unit devoted to recording/reproducing. In the playback unit, compressed data (ADPCM audio data) recorded on a first optical disc 32 is read by an optical head 33, and processed by a decoder 41 with 8-14 demodulation, deinterleaving and error correction. The output data of the decoder 41 is transmitted via a switch 37 to the recording system of the recording/reproducing unit in a compressed state without expansion.

In the recording system of Nagashima, the transmitted data is supplied via a memory 14 to an encoder 15 in which the transmitted data is processed with error correction coding, interleaving and 8-14 modulation before being transmitted to a magnetic head driving circuit 16

for magnetic field modulation type photomagnetic recording for recording on another optical disc 2. Applicants respectfully submit, however, that, in Nagashima, the output data of the memory 14, which is data to be recorded to the optical disc 2, is not supplied to an expander.

Further, in Nagashima, the system controller 7 performs memory control for other memories, such as RAM 22 and RAM 42. The output data of the memory 22 is supplied to an ADPCM decoder 23, and the output data of the memory 42 is supplied to an ADPCM decoder 43. Applicants respectfully submit that each of the ADPCM decoders 23 and 43 corresponds to an expander.

However, the system controller 7 controls the writing speed and the reading speed for each of the memories 22 and 42. Applicants respectfully submit that the writing speed is controlled in accordance with the transmission rate of data to be written, and the reading speed is controlled in accordance with the transmission rate of predetermined mode such as the level B stereo mode. See, for example, column 7, lines 36 to 53.

Therefore, Applicants respectfully submit that Nagashima does not teach at least that "said memory controller controls the timing of starting to read the compressed information from said memory in accordance with a result of the determination by the judging device" as recited in claim 1 of the present application.

At col. 5, lines 24-62 of Nagashima, a portion pointed out by the Examiner in the Office Action, a method for calculating actual time information for playback time display is disclosed. However, Applicants respectfully submit that this disclosure in Nagashima does not teach or suggest control of a time period of reading the compressed data on the optical disc 2 by the optical head 3.

Accordingly, Applicants respectfully submit that Nagashima does not teach or suggest at least a configuration corresponding to "a reading controller for controlling a reading time of said reading device in accordance with a result of the determination of the judging device," as recited in claim 4 of the present application.

Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) should be withdrawn because Nagashima does not teach or suggest each feature of independent claims 1 and 4, as amended. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Furthermore, Applicants respectfully assert that dependent claims 2-3 and 5-6 are allowable at least because of the dependence from their respective independent claims, as amended, and the reasons set forth above.

#### **Newly-Added Claim 6**

Applicants have added new claim 6 in order to differently describe the invention and to afford the Applicants with scope to which they are entitled. Applicants respectfully submit that new claim 6 is allowable at least because of its dependence on independent claim 1 and for the reasons in the foregoing discussion.

#### **CONCLUSION**

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that

there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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